

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

FILED

JUL 11 2019

U.S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRANDIN MOORE,

Defendant.

4:19CR536 RWS/NAB

MOTION FOR PRETRIAL DETENTION AND HEARING

Comes now the United States of America, by and through its Attorneys, Jeffrey B. Jensen, United States Attorney for the Eastern District of Missouri, and Jennifer Szczucinski, Special Assistant United States Attorneys for said District, and moves the Court to order Defendant detained pending trial, and further requests that a detention hearing be held three (3) days from the date of Defendant's initial appearance before the United States Magistrate pursuant to Title 18, United States Code, §3141, et seq.

As and for its grounds, the United States of America states as follows:

1. Defendant is charged with Felon in Possession of a Firearm in violation of 18 U.S.C. § 922(g)(1), an offense for which a maximum 10-year imprisonment is prescribed under Title 18.

2. According to St. Louis County Police Department Investigative Report #18-63549, on December 18, 2018, St. Louis County Police officers were patrolling the Metrolink station at 4300 North Hanley as part of efforts to address safety concerns on the Metrolink. During that patrol, they observed the defendant smoking near a "no smoking" sign. Officers approached the defendant to address the violation and requested his identification. As the officers continued to investigate, the defendant grew increasingly agitated. An officer advised the defendant he was being arrested for smoking on the Metrolink platform. When the officer went to handcuff the defendant, the defendant attempted to run from the area, but was stopped by other officers. He continued to physically struggle with the officers as they handcuffed him. During a search of the defendant, incident to his arrest, officers located a loaded, 9mm Smith & Wesson pistol.

3. The defendant's criminal history includes, but it not limited to the following:

- 1122-CR00434, *State of Missouri v. Brandin Moore*
Guilty Plea/Sentence Date: January 19, 2012
Count One: Robbery 2nd Degree
5 years pursuant to §559.115 (granted probation following program)
Probation revoked, 5 years MDC
*Active warrant for parole violation
- 13SL-CR12829, *State of Missouri v. Brandin Moore*
Guilty Plea/Sentence Date: August 12, 2016
Count One: Possession of Drug Paraphernalia with Intent to
Distribute
2 years MDC

4. There is a serious risk that the defendant will flee, given the defendant's attempted flight from the officers in this case, that he is currently absconding from his parole officer (and has an active warrant for his arrest), his failure to comply with supervision while on probation and parole, and the potential sentence the defendant faces in this case.

5. The defendant's criminal history and the nature and circumstances of the offense charged reflect that he is unwilling to abide by the laws regarding the possession of firearms. As such, there is a serious danger to the community that would be posed by the defendant's release. Further, there are no conditions or combination of conditions that will reasonably assure the defendant's appearance as required.

WHEREFORE, the United States requests this Court to order Defendant detained prior to trial, and further to order a detention hearing three (3) days from the date of Defendant's initial appearance.

Respectfully submitted,

JEFFREY B. JENSEN
United States Attorney

/s/ Jennifer Szczucinski
JENNIFER SZCZUCINSKI, #56906MO
Special Assistant United States Attorney